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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAMON BERNARD, Individually and on
Behalf of All Other Persons Similarly Situated,

08 CV 03808 (LAK)

Plaintiff,

- against -

STIPULATION
DISCONTINUING ACTION


JCJ BAKERY COPRORATION, CHARLIE
NICOSIA and JOHN DOES #1-10,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and among the undersigned, the attorneys of record for all the parties in the above entitled action, that whereas no person or party hereto is an infant or incompetent for whom a guardian or committee has been appointed, and in the subject matter of which no person not a party has an interest, the above entitled action be and the same hereby is discontinued with prejudice by the Plaintiff and without costs to either party as against the other. The Defendants herein consent to the discontinuance of this action. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
July 28, 2008

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